# INVALIDS.

The Ridbeys are wo in number, situated at the upper part of the ioin surrounded by int, and consisting of three parts, viz.:—The Anterior, the Interior and the

The anterior absorbs Interior consists of tissues or veins, which serve as a deposit for the urine, and con vey it to the exterior. The exterior is a conductor also, terminating in a single tube, and called the Ureter. The preservare connected with the bladder.

The bladder is composed of various coverings or tissues, divided into parts, viz :-The Upper, the Lower the Bervous, and the Mucous. The upper expels, the lower retains. Many bave a desire to urinate witheat the ability to retain. This frequently occurs in

To cure these affections we must bring into action the muscles, which are engaged in their various functions. If they are neglected, Gravel or Dropsy may

The reader must also be made aware, that however slight may be the attack, it is sure to affect his bodily nealth and mental powers, as our flesh and blood are supported from these sources.

#### GOUT OR RHEUMATISM.

I ain occurring m the loins is indicative of the above discuses. They occur in persons disposed to acid growneh and chalky concretions.

#### THE GRAVEL.

The gravel ensues from neglect or improper treatment of the kidneys. These organs being weak, the water is not expelled from the bladder, but allowed to remain, t becomes severish and sediment forms. It is from th seposit that the stone is formed and gravel ensues.

is a collection of water in some parts of the body, and tears different names, according to the parts affected, wiz., when generally diffused over the body, it is called Anasarca; when of the abdomen, Ascites; when of the chest, Hydrothorax.

#### TREATMENT.

Heimbold's highly concentrated compound Extract of Buchu is decidedly one of the best remedies for diseases or the bisdder, kidneys, gravel, dropsical swellings, rhenmatism, and gouty affections. Under this head we baxe arranged Dysuria, or difficulty and pain in passing water, scanty secretion, or small and frequent discharges of water, Strangury or stopping of water, Hematuria or bloody urine, Gout, and Rheumatism of the kidneys, without any change in quantity, but increase of color or dark water. It was always highly recommended by the late Dr. Physic in these affections.

This medicine increases the power of digestion and excites the absorbents into healthy exercise, by which the watery or calcareous depositions, and all unnatural enlargements, as well as pain and inflammation, are reduced, and is taken by

MEN, WOMEN, AND CHILDREN. Directions use and diet accompany.

PHILADELPHIA, Pa. February 25, 1857.

E. T. BELMBOLD, Druggist :-Dear Sir:-I have been a sufferer for upwards of twenty years with gravel, biadder, and kidney affecmens, during which time I have used various medicinal preparations, and been under the treatment of the most eminent physicians, experiencing but little relief.

Having seen your preparations extensively advertised, I consulted my family physician in regard to

using your Extract of Buchu-I did this because I had used all kinds of advertised remedies, and had tound them worthless, and some quite injurious; in fact, I despaired of ever getting well. and determined to use no remedies hereafter unless I knew of the ingredients. As you advertised that it was composed of buchu, cubebs, and juniper berries, it occurred to me and my physician as an excellent combination, and, with his advice, after an examination of the article, and consulting again with a druggist, I conciuded to try it. I commenced its use about eight menths ago, at which time I was confined to my room. From the first bottle I was astonished and gratided at the beneficial effect, and after using it three weeks, was able to walk out. I felt much like writing you a full statement of my case at that time, but thought my im provement might only be temporary, and therefore, concluded to defer and see if it would effect a cure, knowing that it would be of greater value to you and

I AM NOW ABLE TO BEFORT THAT A CURE IS EFFECTED AFTER USING THE REMEDT FOR YE MONTHS. I HAVE NOT USED ANY NOW FOR THREE MONTHS, AND

and more satisfactory to me.

FEEL AS WELL IN ALL RESPECTS AS I EVER DID. Your Buchu being devoid of any unpleasant taste and odor, a nice tonic and invigorator of the system, I do not mean to be without it whenever occasion may require its use in such affections.

M. MCCORMICK. should any doubt Mr. McCormick's statement, he

Should any doubt Mr. McCormick's statement refers to the toilowing sendlemen:

Hon. WILLIAM BIJLER, ex-Governor. Penna. Hen. ThOMAS B. FLORENCE, Philadelphia. Hen. J. C. KNOX. Judge, Philadelphia. Hon. J. S. BLACK, Judge, Philadelphia. Hon. D. R. FORTER, ex-Governor, Penna. Mon. ELLIS LEWIS, Judge, Philadelphia. Eon. R. C. GRIER, Judge, U. S. Court. Hen. G. W. WOOD WARD. Judge Philadelphia. Hon. W. A. FORTER, Philadelphia. Hon. F. BANKS, Auditor-General, Wasnington. And many others. If necessary

PRINCIPAL DEPOTS:

Helmbold's Drug and Chemical Ware house, No. 594 BROADWAY,

Metropolitan Hotel, New York,

No. 104 S. TENTH St. PHILADELPHIA.

"BOLD BY DRUGGISTS EVERYN HERE. 1

BEWARE OF COUNTERFENTS.

# APPEAL FROM LOYAL SOUTHERNERS.

A Plain Statement of Facts. The Loyal Southern Association in New Orleans has issued the following appeal to Con-

Whereas, the President of the United States has undertaken, without any authority of law, to insugurate civil governments in the former States of Texas, Florida, North Carolina, Georgia, Alabama, Mississippi, and South Carolina, Georgia, Alabama, Mississippi, and South Carolina, which States or Territories. After the mintary surrender, were exclusively subject to the law making power of the United States; and whereas, the President, by a direct and persistent usurpation or pretended power, has, by various acts and declarations, denied the power of Congress to interiere with his usurpagress and the people:power, has, by various acts and declarations, denied the power of Congress to interiere with his usurpation, thus attempting to repudrate and bring into subordination to the will of the Executive the supreme political authority of the nation, it has therefore become, in the opinion and Judgment of the Association of Southern Loyalists now assembled at Washington, a matter of imperious political and national necessity for the Government of the United States to settle at once, and forever, this conflicting caim of power between the executive and legislative departments of the Government.

This Association maintain that the President, after repeated assertions by Congress as to its exclusive power, and in opposition to the expressed will of the loyal people of the bation at the ballot-box, still persists in a continuacy that, it allowed to prevail, will virtually unhinge the governmental framework of the United States under the Constitution.

The attempt to hold in subordination, and to keep under the ban of disability, the Union element, and to hold it in subjection to the Rebel element, is a

to hold it in subjection to the Rebel element, is a political crime that can find no apology or excuse. It is as suicidal to the line of the nation as it is unjust It is as suicidal to the line of the nation as it is unjust and wicked in purpose. That portion of the Southern people who have voluntarily abjured their allegiance to the Government of the United States, and as the highest evidence of abjuration reviled and denounced and made war against it, and which had thus become the enemies of the Constitution and the Union, have been the people aimost exclusively favored by Andrew Johnson. He has assisted to restore them to temporary power under pretended State organizations. He has diligently worked and co-operated to assist them in the exclusion of the Union people of the South from all participation in political power. He has made the support of his usurpation the test of his invoritism and encouragement, whilst opposition to it has drawn from him ment, whilst opposition to it has drawn from him an exhibition of malicious animosity such only as would characterize the acts of a deprayed tyrant

would characterize the acts of a depraved tyrant. It needs only to look at the murders and assassinations of Union men and freedmen in the South to mark the atrocity of Andrew Johnson. As Commander-in-Chief of the Army and Navy, with full power to enforce protection he has purpo-ely continued to avoid the discharge of this highest of all duties. Whilst the loyal people of the nation have been continuously distressed by the numberiess cries coming up from the defenseless and helpless, the Executive, acting the part of a depraved partical, has spurned all their appeals. With the volumes of evidence before him, to the effect that his usurping policy and the encouragement of the Rebel forces under it has reasumated them into murderous activity, he has still persisted. Rebuked by the voice and verdict of an indignant people, he still persists in his atrocious policy of giving the control of the South to Rebel, as unrepentant of their past crimes as the loyal people of the United States are determined to establish and maintain protective government.

States are determined to establish and maintain protective government.

It is maintained by this Association, by Congress, and by the loyal people of the United States, that Congress alone has the power, and the exclusive power, to establish, maintain, and secure, under laws to be enacted, protective republican government in these Southern States We further maintain that no progress is possible to be made as long as Andrew Johnson shall be permitted to stand on his usurpation, defying the power of Congress, and heedless of the execution of the laws ossipped to afford protection. The law-making and executive power or the nation must be brought into harmony; and until this conjunction transpires no settlement of our difficulties can even be commenced. The conof our difficulties can even be commenced. The concert of executive and legislative power is indispensable. We know of no other way than that the Executive, who disregards the legitimate jurisdiction of the law-making power, as well as the verdict of the people, should be displaced. The law of necessity, which dictates the preservation of protective republican government under the Constitution of the highest of all public considerations.

tion, is the highest of all public considerations.

It is further maintained by this association, that he course of the President, in connection w usurpation, has been as deleterious in results as it was illegal in its inception. We charge that the Executive has designedly and corruptly encouraged and invited to the support of his usurpation the Rebel element of the South and the apologists o treason in the North, whilst he has revited and attempted to subvert the Union element in both sections, and wickedly persisted in the attempt to place the Union element of the country in political subordination to the avowed enemies of the United States Government.

We turther maintain, that there are eight millions out of the twelve millions of people in the late slave States as loyal to the Government of the United States and the benencent principles of the Constitution as any eight miliions in the North. The record of the War Department disclose the fact that these eight millions, under all the discouragements of their situation, have furnished more than three nun dred thousand soldiers to the Union army. It is needless to discuss the thousand ways in which tais Union element of the South has assisted the Government and the soldier of the Government in the late struggle. It remains for us to pronounce that Andrew Johnson, armed with executive power, and bent on pressing his usurpations as a finality, has not only disregarded all casims of Union men, but wielded such power for purposes more atracious than ever exhibited before by any person pretend-

toan ever exhibited before by any person pretendiny to hold the reins of government.

Whist we indignantly maintain that Andrew
Johnson is and should be held responsible for the
murders and assassinations, as well as the general
acuse of Union men and freedmen in the South, we
are painfully constrained to believe that the continuation of this course has been too much encouraged by the forbearing policy of Congress. That
body has a duty to perform in vindicating its claim
to power, as much so as in the performance of any to power, as much so as in the performance of any other duty. To it is confided the high power, amongst other powers, to restrain and constrain every other department of the Government to act within the sphere of its jurisdiction. It was armed with the power of impeachment, and made politically supreme for this very purpose. It is bound by its official on h to discharge this duty as well as all others. Painful as the task may be, and distressing to the sensibilities of our people, necessity imposes on Congress the requirements of maintaining affirmatively, and by all

constitutional means, its political prerogatives.

Protective republican government, we maintain, is the common birthright of the American people. All questions on this subject were foreclosed on the adoption of the Constitution. Under that clause which provides that "the United States shall guarantee to every State in this Union a republican form of government," there is a duty imposed of a very comprehensive character. This clause of the supreme law deals with States as States, with territories as as well as States in a territorial condition. It em-braces a war power as well as political power. It deals with all forces in contumacy with the protec tive features of the Constitution. It is the auxiliary power confided to Congress in the adoption of all means necessary and proper to maintain and preacrye the recognized rights of crizenship. When it is considered that in connection with this the military power of the nation including the President as inder-in-chief, was designedly made subordinate to the law-making power, we may be led to know that the framers of the Constitution designed o make the Congressional tribunal of States practiand power or eniorcing the principle of protection.

The American people will never consent to allow this power in their representatives to be usurped or displaced by the Executive will nor will they complacently allow their representatives to summit to

any such usurpation on any proteiness whatsoever.

This association again repeat and again urge that
the power and the will of the loyal people of this
nation, speaking through their loyal representatives, must be vindicated. Without this there can
be no settlement between the loyal and contumations to come now maintaining antagonisms that are cious forces now maintaining antagonisms that are irreconciable. We know as well as we can morally know anything, that while Congress stands firmly on this high and impregnable ground of "rights to all and justice to all." that body will be sustained. On the foregoing declarations we, the members of this Association, take the appeal to Congress and

the loyal people of the nation Washington, January 12, 1867. On motion, the toregoing document was approved by the Association, and ordered to be signed by the President and secretary, and published.
THOMAS J. DURANT, President. D. H. BINGRAM, Secretary.

-A girl only fifteen years old, with her brother, last week, skated from Minneapolis, Minnesota, to Dayton, a distance of forty miles,

# THIRD EDITION EUROPE.

By Atlantic Submarine Telegraph Cables

TELEGRAMS OF TUESDAY LAST.

The Swatara Sails from Minorca from the United States. Management of the second of th

German Congress Adopts the Prussian Scheme of Confederation.

Interesting from Paris.

Etc., Etc., Etc., Etc., Etc., Etc.

Movements of Steamers.

SOUTHAMPTON, January 22—Evening.—The steamship Allmania, from New York January b. touched here this afternoon en route for Ham-

Surratt En Route for the United States. Paris, January 22.—The United States war steamer Sudora, with John H. Surratt on board, arrived at Port Mabon, Island of Minoca, recently, and after coaling, sailed again for the Coaling States.

France.

Paris, January 22.—Telegrams were read from all departments of the Empire, expressing dissatisfaction with the proposed reforms in the policy of the Government The Bourse is dull, and Rentes have declined.

Prussia and Germany. Berlin, January 22.—The members of the erman Confederation have agreed to the cheme proposed by the Prussian Government.

Commercial and Financial News. LIVERPOOL, January 22-Evening.—There is no change in the Cotton Market. Uplands, 14id. The market for yarns and goods at Manchester is dull

Breadstuffs active. Wheat continues firm. Corn has advanced; 43s. 3d. for mixed Westers. Provisions firm; Lard quoted at 55s. per cwt. for American.

London, January 22—Evening.—Cousols, 90] for money. United States Five-twent, bonds have stead ly declined, the cosing quotations being 72]. At Frankfort, this evening, the closing price was

# FROM WASHINGTON THIS AFTERWOON.

[SPECIAL DESPATCHES TO EVENING TELEGRAPH.] Washington, January 26.

The Impeachment Question. It has been stated on good authority that, in approving the bill authorizing the assembling of the Fortieth Congress on the 4th of March next, the President has contributed to his own impeachment, and that the Committee on the Judiciary are working very industriously in collecting evidence, but will not report until the close of the session, and then the report will be in favor of impeachment. The task of offering the articles of impeachment will devolve upon the next Congress.

Bills that Have Become Laws Without the President's Signature.

The bill amending the acts organizing the several Territories, conferring suffrage therein without regard to race or color, has become a law without the President's approval. It was presented to him on the 12th instant, and, as he has not returned it within the ten days allowed by the Constitution after it has been presented to him, it has become a law in like manner as if he had signed it. The bill repealing the amnesty and pardon authority given to the President became a law in a similar way.

Meeting of Enfranchised People at George-

town. Washington, January 26.—Mount Zion Church, in Georgetown, was crowded to its utmost capacity last night to hear Senator Wilson, Hon. George W. Julian, and Major-General O. O. Howard, who addressed the meeting in strong and appropriate speeches, on the subject of the enfranchisement of the colored people.

The audience was composed principally of the newly enfranchised people of Georgetown, and exhibited a degree of interest seldom seen in a promiscuous gathering.

The following interrogatories were read which the colored people of Georgetown intend to propound to the candidates for the First. Have you been in favor of enfranchising

olored men in this District since slavery was Second. Are you in favor of giving the same ivil and political rights to the people of color

that are enjoyed by the whites? Third. Are you in tavor of the education of dored children, and will you, in case you are elected Mayor, use your power and influence to give them the same advantages in regard to

chools as are given to the white children? Fourth, Will you, if elected, so execute the ws and ordinances of the city as to admit of no distinction on account of color, as require act of Congress known as the Civil

Fifth. Will you, when laborers and mechanics are to be employed by the corporation, so dis-tribute the labor as to give employment to whites and blacks alike?

Other speeches were make, when Charles D. Weich was nominated as the radical candidate for Mayor of our sister city, Georgetown.

# Sailing of Steamers.

New York, January 26. - The outgoing steamers from this city take the following The City of New York, \$29,000; Ville de Paris, \$370,000; and Bremen, \$170,000. SAN FRANCISCO, January 25 .- The steamer America, with passengers for New York via Nicaragua, sailed to-day.

# Arrival of Steamers.

NEW YORK, January 26 .- The steamship Belona bas arrived from Havre. Her advices have been anticipated. Also, the steamer Union, from Southampton, has arrived with dates to the 16th.

Markets by Telegraph. SAN FRANCISCO January 25.—Extra to superfine Flour, \$5 50. Choice Wheat for shipping, \$1 75 \$1 100 lbs.

The New Alexander Mills produced 35,000 flack of Quicksilver in 1866.

Mining stocks are quoted as follows:—Savage.

\$1890; Crown Point, \$1040; Yellow Jacket, \$775;
Chollar Potosi, \$214; Imperial, \$149; Legal-ten-

### FROM BALTIMORE TO-DAY.

Lieutenant-Governor Cox and Governor Swann - Their Movements-Political Affairs in theM onumental City.

SPECIAL DESPATCE TO THE EVENING TELEGRAPH.] Baltimone, January 26 .- Lieutenant-Goveror Cox is here to-day, and is congratulated warmly by his many friends, since Swann's election to the United States Senate, on his prospects of soon becoming Governor.

Governor Swann has gone to Washington, and will have counsel with President Johnson. His friends are rejoicing at his elevation to the Senate. He will not resign the Governorship until near the 4th of March, and designs making our State appointments in the meantime, excepting some of Governor Cox's triends, whom he will leave for him to honor.

The Baltimore City Conservative Convention is now in session, endeavoring to make a nomination for Mayor, but is yet undecided. The excitement is very great, and there is much want of harmony. The contest at present is between John T. Ford and Daniel Harvey. Ford's chances are slightly in the ascendant. Mayor Chapman and the present Councilmen are determined to holdjon, regardless of the new election. The coming few weeks portend an immense excitement, if not serious trouble.

Election of Governor Swann as Senator. BALTIMORE, January 26 .- Governor Swann was vesterday elected United States Senator from Maryland for six years from the 4th of March next. Of the ninety-eight members present in joint Convention, sixty-six cast their votes for Governor Swann.

# CREAT FIRE IN NEW YORK.

Two Cotton Warehouses in Washington Street Destroyed with their Contents-Loss One-Half Million of Dollars.

About 5 o'clock last evening a fire originated on the first floor of one of the large five-story storage warehouses occupied by Messrs, Har-riott & Shilling, at the corner of Washington and North Moore streets. The fire is supposed to have originated from the ignition of gas, a gasman having been at work in the office of the orm but a few minutes before the outbreak of the fire, and using a spirit-lamp. The buildings are numbered on Washington street 366 and 368, and contained at the time of the fire 4040 bales or cotton. About 60 bales were got out by the insurance patrol and the Fifth Precinct police, under Captain Petty.

The fire ran rapidly through the buildings, and utterly defied the efforts of the firemen to prevent its spread. At midnight the buildings, with their contents, were badly damaged, and the dre was still in progress, with every indica-tion, however, of being well checked. The fol-lowing persons owned the cotton in the buildlowing persons owned the cotton in the buildings:—Leverich & Co., 159 bales; Fuenkhauser & Co., 99 bales; Paton & Co., 117 bales; L. Bronsi, 6 bales; Chapman & Harmony, 10 bales; Knapp & Brother, 2 bales; Adam & Whittock, 47 bales; Green Brothers, 93 bales; Frisble & Roberts, 228 bales; Kirkland, Welley & Co., 650 bales, R. Bales, E. C., 272 bales, P. Bales, E. C., 272 bales, P. Bales, F. C., 272 bales, P. Bales, P. Bales, F. C., 272 bales, P. Bales, Roberts, 228 bales; Kirkland, Weiley & Co., 650 bales; P. B. Baker & Co., 373 bales; S. P. Bevins, 1490 bales; R. R. Graves & Co., 6 bales; Cauldwell & Morris, 173 bales; J. S. Smallwood & Co., 335 bales; New York Warehouse and Security Company, 67 bales; W. E. Brinker, 13 bales; H. Young & Co., 46 bales; Rawson, Bridgeland & Co., 111 bales; E. Taft, 25 bales. The total loss on cotton is about \$475,000, provided the salvage is as much as usual. Should this not be the case the loss will usual. Should this not be the case, the loss will be much heavier. It is said to be fully insured various companies in this and adjoining cities. The building No. 366 is owned by Thomas McKee, and is damaged to the extent \$8000: insured for \$9000. No. 368 by the Brush estate, and is damaged to the exent of \$10,000; insured for \$6000. No. 97 North Moore street is also owned by the Brash estate and is damaged to the extent of \$800; insured for \$3000. Messrs. Harriott & Schilling had but a few hours before the outbreak of the fire secured a lease of five years on these three buildings. Their loss in office fixtures and fur-niture is about \$1500; insured for \$1200.

A TEAM OF ENGINE HORSES LOST. At midnight the Twenty-seventh Precinct police reported that the team of horses belong-ing to Metropolitan Engine Company, No. 6, had been lost. It appears that the steamer was at the tire, and the horses were left alone by the blundering driver at the corner of Washington and Harrison streets, whence they strayed, and have not since been found .- New York World of

-The number of boats totally or partially destroyed on the Western waters during the year 1866 was 119. Of those totally destroyed, 50 were lost by sinking, 37 by fire, and 7 by explo sion. Partially destroyed—by sinking, 21; by explosion, 4. Estimated losses in boats, \$2,868,-300; in cargoes, \$3,620,000; total, \$6,449,500. Many of the disasters were accompanied with a heavy loss of life.

- Sixty years ago theatres opened their doors at 5 o'clock and the performances commenced precisely at 6 o'clock P. M., and the audience ere thus enabled to return home not far from o'clock, seldom later than 10 o'clock. Evening parties commenced at 7 o'clock, and among he ladies of fashion the midnight hour found the guests departed.

—A freedman living near Riceville, Virginia, ad a quarrel with his wife about a month ago, he deliberately took his little son, aged ten years, and chopped his head off with an axe. body was then thrown into the woods, as rey for wild beasts and the fowls of the air, and the diabolical deed kept secret until a few days ago it was accidentally discovered.

The man Johnson, who was arrested on suspicion of having perpetrated the double mur-der at Auburn, Me., has satisfactorily shown be was not at the scene of the tragedy when it occurred. He accounts clearly, and by the testimony of others, for his whereabouts pefore, during, and atter the murder.

—Mrs. Mary M. Dyer, aged eighty-nine, was found dead on the floor of her house in Eudeld, N. H., on Monday of last week. She was the nother of the late Caleb M. Dyer, and was known many years ago for her persistent warfare upon Shakerism. -The Vicksburg Heraid says that several gen-

lemen who have recently been engaged in tuels have been indicted by the Grand Jury of the county, and bound over in the sum of \$1000 to answer for the offense, -A woman in New Britain, Connecticut, recently became enraged at her husband for some

cause or other, and in revenge rushed out of doors and seated herself in a snow bank, where she remained until nearly frozen. -Two young girls in Leavenworth had a dis pute as to who used most sugar, and during the wrangle upset the table, which, falling upon the head of a little child, broke its neck and

-The eight-hour system does not work in Indianapolis, where it is enforced by the city and foundries. The employes are paid by the hour, do not earn enough to support their

-The will of the late William Pollock, of Pittsfield, Massachusetts, has been admitted to probate. The aggregate property to be disposed of will probably amount to \$1,500,000. -The Supreme Court of Indiana has decided as constitutional the law levying taxes on dogs in that State,

#### LEGAL INTELLIGENCE.

Court of Quarter Sessions-Judge Peirce .-The usual saturday business was before this Court.

Court of Quarter Sessions—Judge Peirce,—
The usual saturday business was before this Court, this morning.

Commonwealth ex rel. Bereard O'Rourke vs. the sheriff. Ihis was a hearing on a writ of habeas cori us sued out for the discuarge of O'Rourke, who was bound over upon the oath of Albert Lennox to answer the charge of perjury. The evidence was that Lennox, as agent for ships in New York, had engaged O'Rourke as a seaman; that O'Rourke made but part of the voyage, and returned to Philadeiphia for his pay. Lennox gave him a check on the Corn Exchange Bank for \$20, part payment on the debt. Afterwards O'Rourke sued Lennox before an Alderman for the who e original debt, and swore that he had received nothing from Lennox on the debt, and Lennox produced before the Alderman the check he had given O'Rourke.

The Court thought it hardly proper that a plaintiff should be sworn in his own suit, and if he were, the oath was extra judical. Lennox did not positively remember that O'Rourke had been sworn in making his statements. But Mr. Femple, a member of the bar, who was counsel for Lennox at the suit, lestified that when the perjury was committed during a hearing, in which Lennox was charged with obtaining money under false pretenses, Lonnox save O'Rourke a check for \$20 on a firm with which he had no account. O'Rourke then swore he had received no check. But Lennox commenced this prosecution before the prosecution against him had been disposed of, therefore the Court ordered O'Rourke to be discharged.

Commonwealth ex rel. Isaac Stead ys. The Sheriff This was a writ of habeas corpus taken out for the discharge of Stead, who was bound over on the oath of John Jenkins to answer the charge of conspiracy. Jenzins is a detective in the service of the Government. He employed a man to buy unstamped cigars from Stead, in order that he should have sufficient grounds for bis arrest. Afterwards this employe was arrested on a charge of obtaining goods under false pretenses; he obtained a warrant for the arrest of Jenkins, and St

spiracy to accuse him of crime, and to have him arrested on that accusation. The Court thought there was sufficient evidence to go before the jury,

there was sufficient evidence to go before the jury, and therefore held the defendant for 'rial.

An application was made on habeas corpus for the discharge of Patrick Benson from the service of the United States navy. Benson has a wife and five little children. He was out of work, and on December 13, while intoxica ed, was enticed into an enlistment in the navy. It seems also that some one who took au official part in the enlistment got his money from him. The Court granted the discharge upon condition that he would pay, by weekly instalkients, his indebtedness to the Government, amounting 10 \$80. ernment, amounting to \$80.

Court of Oyer and Terminer-Judges Allison and Pierce -In the case of the Common-wealth vs. Leary, who was convicted of homicide wealth vs. Leary, who was convicted of homicide curing the October term, a motion in arrest of judgment was made, argued, and held under con-sideration. This morning the Cou i gave a decision. The first ground upon which the motion was made was the trial was a mis-trial, the defendant having been absent from court during a good part of the proceedings. The trial of a felonious homi-cide does not really begin until the jury have been sworn.

I hat the detendant had been discharged from custody under the two-term act, and, whether under advice of counsel or not, left the Court, and in his absence a jury was empanelled. A desendant, when his life is in peril, has the right to be present at the selection of the jury who are to pass upon his guilt or innocence. Therefore the Court ordered that the verdict be set aside, and the prisoner be allowed to enter his own recognizance.

Also, in reference to trial after a discharge under the two-term act, the Court stated, not as a decided

t' e two-term act, the Court stated, not as a decided opinion, but as a conviction made by careful consideration, that their conviction was that, after such discharge, a man could not be tried upon the same bill of indiciment.

Court of Common Pleas—Opinion by Allison, P. J.—The surviving heirs of Catherine Yoke filed in this Court their petition for the appointment of appraisers, as provided for in the eighth section of the act of April 16 1842 (Pamph. L. 587), for the ascertainment of such damages as they may have sustained by reason of the occupation of "Jones Hotel." in this city, the property of the veittienors, for purposes connected with the suppetitienors, for purposes connected with the sup-pression of the late Rebellion. The report of the Appraisers is before us for confirmation, rejection, or for reference back to them,

under instructions, as to the principles which should guide them in making up their award. The peti-noners claimed that they had sustained a loss of at least \$42,000 in addition to the loss of rent for the premises, and the Appraisers have appraised their damages at \$40,000.

The basis of this claim is the alleged sacrifice of the property at Sheriff's saile on a judgment obtained on a mortgage for \$37,000, the interest of which re-

mained unpaid, as the petitioners claim, by reason of the damage to the property, committed by those who occupied it as a barrack for soldiers, and as a place, for the storage of arms and ammunition. The testimony taken by the appraisers established beyond contradiction the serious damage done to the property, that it was thereby rendered un-tensitable, that loss of rent resulted; the interest on the mortgage became in arrear, and by reason nor-payment of interest, judgment was obtained the mortgage, and the property sold for \$58,000, uch less than the real value. The testimony further shows that not very

efore, the property was put up at public sale, and by the owners. The price demanded was \$110.000, and that the purchaser at \$h rff's cale sold it about \$x x months thereafter, at Drivate sale, for \$30.000 and that he caums that he would not take \$150.000.

That the property was sold at a great sacrifice is clearly established. clearly established.

To make good this loss to the owners the appraisers have allowed them compensation. Were they justified in taking this element of loss into consideration, and making it part of their award?

The act under which the jetition is filed does not, we think, contemplate the giving of remote or consequential damages. It provides that where lands or tenements are occupied by troops the owners may apply for the appointment of appraisers, who, I aving been sworn or affirmed to make a just and true valuation of the alleged damages, shall proceed

laving been sworn or affirmed to make a just and true valuation of the alleged damages, shall proceed to view the premises, and hear any testimony presented or desired by said appraisars.

The compensation contemplated by this section of the act seems to be for occupation, and the direct and immediate damage to the real estate, resulting from occupation of lands or tenements by troops raised for the suppression of the Rebeilion. And because, under the exigency of the occasion lands and tenements were appropriated without the consent of the owner, the state held itself bound to make good such damages as the owner should from this cause sustain; or, at least, it provided for the ascertainment of the amount of the damages, looking, doubtless, to ultimate compensation of the owner, though the act as to payment is signif.

In the absence of an express agreement, it recog-

In the absence of an express agreement, it recognizes the implied promise of the State to pay to the citizens the just and true value of the damage which they should sustain by reason of the State taking and occupying their lands and tenements for the accommodation of troops raised under the authority of the Commonwealth.

The nessure of damages in a case of this kind, is

The n ensure of damages in a case of this kind, is that which results directly and immediately from the act itself, but not to give compensation for remote and consequential loss. If this be the correct view, then the appraisers were in error in taking into account the loss which resulted to the owner of the Jones Hotel, from a sale of the property by the Sheriff, on their own mortgage. It by no means follows, that it rent had been received the interest would have been paid, or that the holder of the mortgage would not have foreclosed, and sold in order to collect the principal of his debt.

But whether this would have been the case or not, we hold is not material inasmuch as we do not understand the act of 1862, as covering a claim for loss resulting from the sale of the property, on the mortgage of the petitionners, even though such sale may be properly traced back as a frenche consequence to the damage done to the real estate by the

mence to the damage done to the real estate by the

quence to the damage done to the real estate by the troops who for a time occupied it.

The appraisars should have allowed the petitioners a just compensation for rent of premises, and also for the lajury done to the property by the troops, or whilst in their po session, and for gas consumed by them, for which the petitioners allege they were compelled to pay. The report is set aside, and referred back to the appraisers, to appraise the damages upon the basis

The Massachusetts Legislative Committee on the Hoosic Tunnel thing it will take eight years jet to complete the work. It was comenced about fifteen years ago.

# FINANCE AND COMMERCE.

OFFICE OF THE EVENING TELEGRAPH

Saturday, January 26, 1867. The Stock Market was rather dull this morning, but prices were without any material change. Government bonds were firmly held. July, 1865, 5-20s sold at 1044, no change, and 10-40s at 100, a slight advance; 1074 was bid for 6s of 1881; 104 for 7-30s; and 107 for old 5-20s. City loans were unchanged; the new issue sold at 1004 and old do. at 964.

Railroad shares were the most active on the list. Reading sold largely at 504@51, closing at the former rate, no change; Little Schuylkill sold at 30, no change; Pennsylvania Railroad at 56, no change; Lebirh Valley at 614, no

at 56, no change; Lengh valley at 614, no change; and Elmira common at 30, no change; 126 was bid for Camden and Amboy.

City Passenger Railroad shares were dull.
64 was bid for Tenth and Eleventh; 19 for Thirteenth and Fifteenth; 31 for Spruce and Pine; 51 for Chesnut and Walnut; 70 for West Philadelphia; 144 for Hestonville; and 9 for Ridge Avenue. Ridge Avenue.

In Canal shares there was very little move-ment. 32 was bid for Schuylkill Navigation preferred; 544 for Lehigh Navigation; and 13 for Susquebanna Capat.

Bank shares were in good demand at full

prices for investment. Commercial sold at 58, 115 was bid for Turd National; 108 for Fourth National; 152 for Philadelphia; 100 for Northern Liberties; 58 for Penn Township; 90 for Western; 66 for City; 41 for Consolidation; 58 for Commonwealth; and 62 for Union.

Quotations of Gold—103 A. M., 1342; 11 A. M., 1342; 12 M., 1342; 1 P. M., 1344.

PHILADELPHIA STOCK EXCHANGE SALES TO-DAY Reported by De Haven & Bro., No. 40 S. Third street BEFORE BOARDS.

-Messrs. De Haven & Brother, No. 40 South Third street, report the following rates of exchange to-day at 1 P. M.:—American gold, 134 Chiange Gody at 1. January 1. Salver as and is, 130; Compound Interest Notes, June, 1864, 16; do., July, 1864, 16; do., August, 1864, 15; do., October, 1864, 14; do., December, 1864, 13; do., May, 1865, 11; do., August, 1865, 10; do., September, 1865, 10; do., October, 1865, 94.

-Messrs. William Painter & Co., bankers, No. 36 South Third street, report the following rates of exchange to-day at 12 o'clock:—U.S. 68, 1881, or exchange to day at 12 octobs;—U.S. 68, 1881, coupon, 1074@1074; U.S. 5-208, coupon, 1862, 107@1074; do., 1864, 1054@1054; do., 1865, 1054@1054; do., 1865, 1054@1044; U.S. 10-40s, coupon, 994@100; U.S. 7'30s, 1st series, 104@1044; do., 2d series, 104@1044; 3d series, 104@1044; Compounds, December, 1864, 134@134 134@134.

THE CASE OF THE BANK OF NORTH AMERICA. The following article is from the New York Herald of this morning:-

"On Thursday last considerable excitement was occasioned on Wall street by the announcement of the sudden death of Mr. Yeiverton, the President of the Bank of North America, and the rumor that the iamentable event was in some way connected with losses sustained by that institution. All manner of reports found currency for a time, and a miniature panic was manufactured; but the facts soon became known and were sound in substance to be that a stockbroker firm, enjoying good credit at the bank, had overdrawn their account to the amoust of one hundred and twenty thousand dollars, and suspended payment. Their drafts had been certified by the deceased President who had confidence in their stability and integrity; and the news of their failure had so affected him a to occasion the attack which resulted in his death. The bankruptcy of this firm was not initself an event of much moment. They were what is known as an open board house or curbstone brokers, and their liabilities were not of great magnitude. It is said, too, that they had pur up securities sufficient to cover a great part of the debt due to the bank. The bank nearly double the amount of the overdraits, sup-posing the latter to be a total loss. It was only the posing the latter to be a total loss. It was only the tragical event accompanying the failure that gave it its apparent importance. There is, however, a lesson in this occurrence which, if properly studied, may be productive of good results. A bank has a fiducial character. It has no right to risk its funds wantonly and unnecessarily to accommodate any of its customers. Its capital is not the property of its President, nor its cashier, nor of any of its officers. They simply act as the agents and trustees of the stockholders and depositors, and are bound to be even more careful of the funds entrusted to their keeping than if they were their own exclusive pro-perly. It is a gross breach of trust for any officer of a bank to certify the check of any party who has not sufficient securities to cover the amount within the teach and control of the institution. Least of all should they certify large overdrafts by stockbrokers, who stand much in the same position as gamblers, and whose large fortunes of to-day may be broken down and swept away to-morrow by rome sudden change in the market. An unexpected rise or fall in a fancy stock, to any material amount, will often turn the millionnaire of one moment into the pauper of the next, and the very fact of a stock-broker needing to make a heavy overdraft on his banking account implies that he is plunging into a speculation which chance may plake remunerative or ruinous. The reckless man-ner in which many of our banking institutions con-duct their business is notorious, and this is especially the case with banks connected with the stock-jobbers and speculators on Broad street. The stock-holders and depositors in such institutions are en-titled to some protection, and if it is not to be found in the prudence, integrity, and firmness of those who act in the capacity of presidents and cashiers, it should be secured by some stringent legislation. The officer who certified an overdraft in any banking institution should be held responsible in his individual property for any loss that may ensue from

Philadelphia Trade Report.

his net."

SATURDAY, January 26 .- The Flour Market coutinues excessively dull, and prices, although quotably the same, were weak. The demand was entirely confined to the wants of the home consumers, who purchased a few hundred barrels at \$8@8.75 p barrel for superfine; \$9@10-50 for extra; \$11-50@12.75 for Northwestern extra family; \$12@14 for Pennsylvania and Ohio ditto ditto, and \$14.50@17 for fancy brands, according to quality. Rye Flour is held firmly at 87-25 P barrel. Nothing doing in Corn Meal.

Corn Meal.

The Wheat Market has again been quiet, there being no demand except for prime lots, of which the market is relatively bare. In the absence of sales we quote Pennsylvania red at \$2.75@3.15; Southern do. at \$3.10@3.20; and white at \$3.20@3.40. Reve is held at \$1.35@1.37 p bushel for Western and Pennsylvania. Corn is scarce and in moderate request, with sales of new yellow at 98c.@\$1. Oats remain without change, bales of 2000 bushels at \$7@58e 2000 bushels Bariey Malt at \$1.40.

Prime Cloverseed is scarce and in fa'r request. Sales \$7.75@\$5.00 p 64 lbs, the latter rate for uncleaned. Emothy ranges from \$3.75 to \$4. Fiaxseed is selling at \$2.25@2.95.

Nothing doing in Whisky, and prices are nominal.

—The Kimball homestead, one of the oldest mansions in West Lebanon, N. H., was burned to the ground last week. It was a large four-story edifice, with wings, offering most hospitable accommodations. This place has been in the Kimball family ever since the Indians quitted the upper valley of the Connecticut. Captain Richard Kimball, the great engineer, the friend and coadpuor of De Witt Clinton in his caual project, and the father of Richard B. Kimball, the author, died in the house in 1860, aged ninety-one, and his father died in the same house, aged eighty-five. same house, aged eighty-five.